

**GOVERNMENT OF INDIA
CHEMICALS AND FERTILIZERS
LOK SABHA**

UNSTARRED QUESTION NO:3845

ANSWERED ON:25.08.2011

SALE AND DISTRIBUTION OF SPURIOUS/SUB-STANDARD FERTILIZERS

Pakkirappa Shri S.;Patel Shri Devji;Singh Shri Bhupendra

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) whether Government is aware of the sale and distribution of spurious/sub-standard fertilizers in the country;
- (b) if so, the number of such cases that came in the notice of the Government during each of the last three years and the current year;
- (c) the action taken against the persons found guilty during the said period in this regard, State-wise;
- (d) whether the relevant provisions of law are adequate and effective enough to curb this menace or any amendments in the law are contemplated; and
- (e) if so, the details thereof?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION
AND MINISTER OF STATE IN THE MINISTRY OF CHEMICALS & FERTILIZERS (SHRI SRIKANT KUMAR JENA)

(a) to (e): Fertilizers have been declared as essential commodities under the Essential Commodities Act, (ECA) 1955. In order to ensure adequate availability of good quality of fertilizers at reasonable price to the farmers, the Government of India under Section 3 of the Essential Commodities Act has promulgated the Fertilizer (Control) Order, (FCO) 1985. FCO empowers the Government to regulate the price; distribution and quality of fertilizers. Under clause 19 of FCO sale/manufacture of such fertilizers which are not of prescribed standard is strictly prohibited. Under clause 8 of FCO, it is mandatory to obtain the Authorization Letter from the notified Authority for sale of fertilizers.

No case of large scale manufacture/ sale of adulterated and spurious fertilizers has been brought to the notice of the Government of India.

The State Governments are adequately empowered to take appropriate action against the sale of non-standard fertilizers. Violation of provisions of FCO can invite penal action, including prosecution of offenders. The offender who is convicted may be awarded the sentence upto seven years' imprisonment under ECA, besides cancellation of authorization certificate. There are 74 fertilizer testing laboratories including four laboratories of the Government of India at Faridabad, Kalyani, Mumbai and Chennai with an annual analyzing capacity of 1.32 lakh samples. During the year 2008-09 and 2009-10, the percentages of samples of fertilizers declared non-standard at all India level were 5.5% and 5.2 respectively. State-wise number of samples declared non-standard during 2008-09 and 2009-10 are annex at 'A' and 'B' respectively. Moreover state governments have been sensitized from time to time on the issue of sales, manufacture, distribution and quality of fertilizers conforming to FCO standards.